

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

In re:

Case No.: 9:16-bk-08283-FMD
Chapter 13

Maurice McLaughlin,

Debtor.

**VFS LEON, LLC'S OBJECTION
TO CONFIRMATION OF CHAPTER 13 PLAN**

Comes now the secured creditor, VFS Leon, LLC (hereinafter "Secured Creditor"), by and through its undersigned Counsel, Leslie Rushing, Esq. of Quintairos, Prieto, Wood & Boyer P.A., and hereby objects to confirmation of the Chapter 13 Plan (ECF No. 10). In support of its Objection, Secured Creditor states as follows:

1. On April 22, 2015 Debtor executed a Note and Mortgage for the real property located at 56 Grey Wing Pointe, Naples, FL 34113.
2. Secured Creditor is the holder of the Note and Mortgage for the real property located at 56 Grey Wing Pointe, Naples, FL 34113.
3. On October 10, 2016, Debtor filed a Chapter 13 Plan with this Court. The Plan proposes a LMM monthly payment of \$654.00 for months 1 to 60.
4. Pursuant to the books and records of Secured Creditor, the monthly mortgage payment should be \$2,617.38 and there are pre-petition arrearages owed in the amount of approximately \$48,305.31. Debtor's Plan does not include any arrearages owed to Secured Creditor.
5. Secured Creditor intends to timely file its proof of claim prior to the claims bar date of February 8, 2017.

6. The Plan, as proposed, does not provide any arrears owed to Secured Creditor and is based off a Mediation that has not occurred and may not result in a Modification.

Wherefore, Secured Creditor, respectfully requests confirmation of the Debtor's Chapter 13 Plan be denied until such time as Debtor proposes to pay back the total arrearages due and owing.

Respectfully submitted,

Dated: November 14, 2016

/s/ Leslie Rushing
Leslie Rushing, Esq.
Florida Bar No. 98106
Quintairos, Prieto, Wood & Boyer, PA
1475 Centrepark Blvd., Suite 130
West Palm Beach, FL 33401
Telephone: (561) 686-1880 x 1311
Fax: (561) 686-1886
Primary Email:
leslie.rushing@qpwbllaw.com
Secondary Email:
flmdbknotices@qpwbllaw.com

CERTIFICATE OF SERVICE

I certify that I have caused to be served a copy of the foregoing Objection to Confirmation of Chapter 13 Plan, by first class mail, postage prepaid or by CM/ECF electronic filing upon the parties listed below on this day.

Dated: November 14, 2016

/s/ Leslie Rushing
Leslie Rushing, Esq.
Florida Bar No. 98106

Copies Furnished To:

By CM/ECF Receipt:

Alan F Hamisch
The Hamisch Law Firm PLLC
501 Goodlette Frank Road, A-210
Naples, FL 34102
Email: alan@hamischlaw.com

Trustee
Jon Waage
P O Box 25001
Bradenton, FL 34206-5001

U.S. Trustee
United States Trustee - FTM7/13, 7
Timberlake Annex, Suite 1200
501 E Polk Street
Tampa, FL 33602

By First Class Mail:

Maurice Mc Laughlin
P.O. Box 1231
Naples, FL 34106